

## **REMARKS**

In complete response to the outstanding Official Action of July 10, 2008, on the above-identified application, reconsideration is respectfully requested. Claims 25 - 35 remain in this application.

### **CLAIM REJECTIONS UNDER 35 USC § 112**

Claims 25 - 35 stand rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

Claims 25 - 35 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 25 - 35 stand rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps.

The term "treatment unit" as been changed to "air separation unit" in all the relevant claims in this group, thereby rendering this rejections moot as pertains to enablement and indefiniteness.

With respect to the Examiners rejection for omitting essential steps, the Applicants point out that it is well known within the art of operating air separation units, the various control schemes and parameter variances that may be used to control output characteristics such as purity, flowrate, temperature and pressure for any given operating condition.

## CONCLUSION

In view of the current amendments, the present application now stands in condition for allowance. Early notice to this effect is earnestly solicited. It is believed that no fee is due with this submission. However, the Commissioner is authorized to charge any applicable fees and/or credit any overpayments to Deposit Account No. 01-1375.

Respectfully submitted,

/Elwood Haynes/

Elwood Haynes, Reg. No. 55,254

**Date:** August 29, 2008

Air Liquide  
2700 Post Oak Blvd., 18<sup>th</sup> Floor  
Houston, TX 77056  
Phone: 713-624-8952  
Fax: 713-624-8950